

***-- REMARKS --***

**Claims 1-12.** In the Non-Final Office Action, Examiner Farah objects to and rejected pending claims 1-12 on various grounds. The Applicant responds to each objection and rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 C.F.R. § 1.112:

- A. Examiner Farah rejected claims 7 and 11 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,804,914 to *Ozawa* et al.

The Applicant has cancelled claims 7 and 11 herein. Withdrawal of the rejection of claims 7 and 11 under 35 U.S.C. §102(b) as being anticipated by *Ozawa* is therefore respectfully requested.

- B. Examiner Farah rejected claims 7-9 and 11 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,804,914 to *Juestel* et al.

The Applicant has cancelled claims 7-9 and 11 herein. Withdrawal of the rejection of claims 7-9 and 11 under 35 U.S.C. §102(e) as being anticipated by *Juestel* is therefore respectfully requested.

- C. Examiner Farah rejected claims 1-6 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,835,400 to *Wolff* in view of U.S. Patent No. 6,764,501 to *Ganz*

The Applicant has thoroughly considered Examiner Farah's remarks concerning the patentability of claims 1-6 over the *Wolff* in view of *Ganz*. The Applicant has also thoroughly read the *Wolff* and *Ganz*. To warrant this §103(a) rejection of claims 1-6, all the claim limitations recited in claims 1-6 must be taught or suggested by the combination of *Wolff* and *Ganz*. See, MPEP §2143. The Applicant respectfully traverses this §103(a) rejection of claims 1-6 because, among other things, *Wolff* and *Ganz* in combination fails to teach or suggest "a plurality of mercury vapor lamps emitting a UV light, or a plurality of transparent plastics sheets covering the mercury lamps, are doped or covered with one or more organic or inorganic fluorescent dyes that partially absorb the UV light emitted by the mercury lamps, covert it into a longer-wave yellowish light, and thus produce a bright, white light" as recited in independent claim 1.

- C. Examiner Farah rejected claims 1-5 and 7-11 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,570,319 to *Juestel* in view of U.S. Patent No. 6,621,218 to *Mastumoto*, and objected to claims 6 and 11 being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

The Applicant has thoroughly considered Examiner Farah's remarks concerning the patentability of claims 1-5 and 7-11 over the *Juestel* in view of *Mastumoto*. The Applicant has also thoroughly read the *Juestel* and *Mastumoto*.

To obviate this §103(a) rejection of claims 1-5, the Application has cancelled dependent claim 6 and added the subject matter of cancelled claim 6 to independent claim 1 whereby independent claim 1 now recites “further characterized in that what is used as at least one fluorescent dye includes a coumarin dye that absorbs the mercury-generated light in the wavelength range from 400 to 550 nm and converts it into light having a wavelength of 550 to 650 nm”. Withdrawal of the rejection of independent claim 1 under 35 U.S.C. §103(a) as being unpatentable over *Juestel* in view of *Mastumoto* is therefore respectfully requested.

Claims 2-5 depend from independent claim 1. Therefore, dependent claims 2-6 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 2-5 are allowable over *Juestel* in view of *Mastumoto* for at least the same reason as set forth herein with respect to independent claim 1 being allowable over the *Juestel*. Withdrawal of the rejection of dependent claims 2-5 under 35 U.S.C. §103(a) as being unpatentable over *Juestel* in view of *Mastumoto* is therefore respectfully requested.

The Applicant has cancelled claims 7-11 herein. Withdrawal of the rejection of claims 7-11 under 35 U.S.C. §103(a) as being unpatentable over *Juestel* in view of *Mastumoto* is therefore respectfully requested.

**Claims 13-16.** The Applicant asserts that art of record, particularly *Ozawa*, *Juestel* and *Mastumoto*, fail to teach or suggest, alone or in combination, “further characterized in that what is used as at least one fluorescent dye includes a coumarin dye that absorbs the mercury-generated light in the wavelength range from 400 to 550 nm and converts it into light having a wavelength of 550 to 650 nm” as recited in independent claim 13.

An allowance of claims 13-16 is therefore respectfully requested.

**Claims 17-20.** The Applicant asserts that art of record, particularly *Ozawa, Juestel* and *Mastumoto*, fail to teach or suggest, alone or in combination, “further characterized in that what is used as an inorganic fluorescent dye is at least one compound having the formula

$(Y_{1-x-y}Gd_x)_3(Al_{1-w}Ga_w)_5O_{12}:Ce_y$  or  
 $SrGa_2S_4:Eu$  or  
 $(Sr_{1-x}Ca_x)S:Eu$ ”

as recited in independent claim 17. An allowance of claims 17-20 is therefore respectfully requested.

**Claim 21.** The Applicant asserts that art of record, particularly *Ozawa, Juestel* and *Mastumoto*, fail to teach or suggest, alone or in combination, “characterized in that a plurality of mercury vapor lamps disposed within the tanning device and emitting a UV light, or a plurality of transparent plastics sheets covering the mercury lamps, are doped or covered with one or more organic or inorganic fluorescent dyes that partially absorb the UV light emitted by the mercury lamps, covert it into a longer-wave yellowish light, and thus produce a bright, white light for tanning purposes of a user of the tanning device” as recited in independent claim 21.

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## **SUMMARY**

The Applicant respectfully submits that claims 1-5 and 13-21 as listed herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Farah is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: **March 13, 2007**

Respectfully submitted,  
THOMAS JUSTEL

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